

AMENDED IN SENATE MAY 4, 2005  
AMENDED IN SENATE APRIL 25, 2005

**SENATE BILL**

**No. 512**

**Introduced by Committee on Education (Senators Scott (Chair),  
Alquist, Denham, Dutton, Lowenthal, Maldonado, Morrow,  
Romero, Simitian, Soto, Speier, and Torlakson)**  
(Coauthor: Assembly Member Huff)

February 18, 2005

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An act to amend Sections 8092, 41976, 41976.5, 42282.1, 42285, 44252.1, 48980, 49423, 49423.1, 52520, 52570, 52571, and 52572 of, and to repeal and add Section 48213 of, the Education Code, and to repeal Chapter 1.2 (commencing with Section 628) of Title 15 of Part 1 of the Penal Code, relating to public schools, *and declaring the urgency thereof, to take effect immediately.*

LEGISLATIVE COUNSEL'S DIGEST

SB 512, as amended, Committee on Education. Education omnibus.

(1) Existing law requires the Commission on Teacher Credentialing to adopt regulations to provide a grace period for candidates enrolled in specified credential programs to complete the requirements of the program, without being required to meet new requirements. Under existing law, these provisions will be repealed by their own terms on January 1, 2006.

This bill would delete the repeal provision in existing law.

(2) Existing law requires, by June 30, 1995, the State Department of Education, in consultation with the Department of Justice and a representative election of school districts and county offices of education to currently compile school crime statistics and to develop a standard school crime reporting form for use by all school districts

and county offices of education throughout the state. Existing law requires each principal of a school in a school district and each principal or director of a school, program, or camp under the jurisdiction of the county superintendent of schools to report crimes, and requires the superintendent of any school district to submit various reports, as specified. Existing law requires the State Department of Education to publish and distribute to all school districts and county offices of education an annual school crime reporting update that describes typical errors in school crime reporting procedures, describes effective and efficient methods of monitoring and recording school crime data, and identifies trends in school crime drawn from the annual school crime report submitted to the Legislature.

This bill would repeal those provisions.

(3) This bill would also delete and replace obsolete and incorrect references in existing law, and would clarify various provisions and make various corrections in existing law.

(4) *This bill would declare that it is to take effect immediately as an urgency statute.*

Vote: ~~majority~~<sup>2/3</sup>. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 8092 of the Education Code is amended  
2 to read:  
3 8092. (a) A school district or districts, a county  
4 superintendent or superintendents, or the governing body of any  
5 agency maintaining a regional occupational center or program  
6 may contract with a private postsecondary school that is  
7 authorized or approved pursuant to Chapter 3 (commencing with  
8 Section 94300) of Part 59 and that has been in operation not less  
9 than two full calendar years prior to the effective date of the  
10 contract, to provide career technical skill training authorized by  
11 this code. A school district, community college district, or county  
12 superintendent of schools may contract with an activity center,  
13 work activity center, or sheltered workshop to provide career  
14 technical skill training authorized by this code in an adult  
15 education program for adults with disabilities operated pursuant  
16 to subdivision (a) of Section 41976.

(b) A contract between a public entity and a private postsecondary school entered into pursuant to this section, or an activity center, work activity center, or sheltered workshop, shall do all of the following:

(1) Provide that the amount contracted for per student shall not exceed the total direct and indirect costs to provide the same training in the public schools or the tuition the private postsecondary school charges its private students, whichever is lower.

(2) Provide that the public school receiving training in a private postsecondary school, or an activity center, work activity center, or sheltered workshop pursuant to that contract may not be charged additional tuition for any training included in the contract. The attendance of those students pursuant to a contract authorized by this section shall be credited to the public entity for the purposes of apportionments from the State School Fund.

(3) Provide that all programs, courses, and classes of instruction shall meet the standards set forth in the California State Plan for Career Technical Education, or is a course of study for adult schools approved by the department under Section 51056.

(c) The students who attend a private postsecondary school or an activity center, work activity center, or sheltered workshop pursuant to a contract under this section shall be enrollees of the public entity and the career technical instruction provided pursuant to that contract shall be under the exclusive control and management of the governing body of the contracting public entity.

(d) The Department of Finance and the State Department of Education may audit the accounts of both the public entity and the private party involved in these contracts to the extent necessary to ensure the integrity of the public funds involved.

SEC. 2. Section 41976 of the Education Code is amended to read:

41976. (a) For purposes of this chapter, the following classes and courses are authorized to be offered by school districts and county superintendents of schools for apportionment purposes from the adult education fund:

1 (1) Adult programs in parenting, including parent cooperative  
2 preschools, and classes in child growth and development,  
3 parent-child relationships, and parenting.

4 (2) Adult programs in elementary and secondary basic skills  
5 and other courses and classes required for the high school  
6 diploma. Apportionments for these courses and classes may only  
7 be generated by students who do not possess a high school  
8 diploma, except for remedial academic courses or classes in  
9 reading, mathematics, and language arts.

10 (3) Adult education programs in English as a second language.

11 (4) Adult education programs for immigrants eligible for  
12 educational services in citizenship, English as a second language,  
13 and workforce preparation classes in the basic skills of speaking,  
14 listening, reading, writing, mathematics, decisionmaking and  
15 problem solving skills, and other classes required for preparation  
16 to participate in job specific technical training.

17 (5) Adult education programs for adults with disabilities.

18 (6) Adult short-term career technical education programs with  
19 high employment potential. Any reference to “vocational”  
20 education or programs in adult education means “career  
21 technical” education or programs in adult education.

22 (7) Adult programs for older adults.

23 (8) Adult education programs for apprentices.

24 (9) Adult programs in home economics.

25 (10) Adult programs in health and safety education.

26 (b) No state apportionment shall be made for any course or  
27 class which is not set forth in subdivision (a).

28 SEC. 3. Section 41976.5 of the Education Code is amended to  
29 read:

30 41976.5. (a) Each school district or county superintendent of  
31 schools providing services in summer school programs for adults  
32 with disabilities in the 1977-78 school year shall continue in the  
33 1980-81 fiscal year and each fiscal year thereafter to offer these  
34 programs.

35 (b) A school district or county superintendent of schools  
36 receiving apportionments from Section A of the State School  
37 Fund shall offer summer programs for graduating high school  
38 seniors in need of courses for graduation.

39 SEC. 4. Section 42282.1 of the Education Code is amended to  
40 read:

1 42282.1. (a) Notwithstanding Section 42282, or any other  
2 provision of law, each necessary small school in the Death  
3 Valley Unified School District shall qualify for the  
4 apportionment specified in subdivision (b) of Section 42282 if  
5 that school has an average daily attendance of 21 or more and  
6 less than 51, exclusive of pupils attending the 7th and 8th grades  
7 of a junior high school, and for which school at least two teachers  
8 were hired full-time for more than one-half of the days schools  
9 were maintained.

10 (b) It is the intent of the Legislature not to provide a special  
11 allowance to the Death Valley Unified School District for one of  
12 its schools by future legislation if the average daily attendance at  
13 the school is 18 or less.

14 SEC. 5. Section 42285 of the Education Code is amended to  
15 read:

16 42285. (a) A necessary small high school for the purposes of  
17 Section 42284, is a high school with an average daily attendance  
18 of less than 301, excluding continuation schools, which comes  
19 within any of the following conditions (except that a single high  
20 school maintained by a unified district, or a high school  
21 maintained by any district for the exclusive purpose of educating  
22 juvenile hall pupils or pupils with exceptional needs, shall be  
23 considered a necessary small high school):

24 (1) The projection of its future enrollment on the basis of the  
25 enrollment of the elementary schools in the district shows that  
26 within eight years the enrollment in high school in grades 9 to 12,  
27 inclusive, will exceed 300 pupils.

28 (2) Any one of the following combinations of distance and  
29 units of average daily attendance applies:

30 (A) The high school had an average daily attendance of less  
31 than 100 in grades 9 to 12, inclusive, during the preceding fiscal  
32 year and is more than 15 miles by well-traveled road from the  
33 nearest other public high school and either 90 percent of the  
34 pupils would be required to travel 20 miles or 25 percent of the  
35 pupils would be required to travel 30 miles one way from a point  
36 on a well-traveled road nearest their homes to the nearest other  
37 public high school.

38 (B) The high school had an average daily attendance of 100 or  
39 more and less than 150 in grades 9 to 12, inclusive, during the  
40 preceding fiscal year and is more than 10 miles by well-traveled

1 road from the nearest other public high school and either 90  
2 percent of the pupils would be required to travel 18 miles or 25  
3 percent of the pupils would be required to travel 25 miles one  
4 way from a point on a well-traveled road nearest their homes to  
5 the nearest other public high school.

6 (C) The high school had an average daily attendance of 150 or  
7 more and less than 200 in grades 9 to 12, inclusive, during the  
8 preceding fiscal year and is more than 7 ½ miles by well-traveled  
9 road from the nearest other public high school and either 90  
10 percent of the pupils would be required to travel 15 miles or 25  
11 percent of the pupils would be required to travel 20 miles one  
12 way from a point on a well-traveled road nearest their homes to  
13 the nearest other public high school.

14 (D) The high school had an average daily attendance of 200 or  
15 more and less than 301 in grades 9 to 12, inclusive, during the  
16 preceding fiscal year and is more than five miles by well-traveled  
17 road from the nearest other public high school and either 90  
18 percent of the pupils would be required to travel 10 miles or 25  
19 percent of the pupils would be required to travel 15 miles to the  
20 nearest other public high school.

21 (3) Topographical or other conditions exist in the district  
22 which would impose unusual hardships on the pupils if the  
23 number of miles specified above were required to be traveled. In  
24 these cases, the Superintendent may, when requested, and after  
25 investigation, grant exceptions from the distance requirements.

26 (4) The Superintendent has approved the recommendation of a  
27 county committee on school district organization designating one  
28 of two or more schools as necessary isolated schools in a  
29 situation where the schools are operated by two or more districts  
30 and the average daily attendance of each of the schools is less  
31 than 301 in grades 9 to 12, inclusive.

32 (b) For the 1998–99 fiscal year and each fiscal year thereafter,  
33 the high school and junior high school average daily attendance  
34 figures specified in subdivision (a) and the ranges of average  
35 daily attendance specified in paragraph (2) of subdivision (a)  
36 shall be reduced by the statewide average rate of excused absence  
37 reported for high school districts for the 1996–97 fiscal year  
38 pursuant to Section 42238.7, with the resultant figures and ranges  
39 rounded to the nearest integer.

SEC. 6. Section 44252.1 of the Education Code is amended to read:

44252.1. (a) It is the intent of the Legislature that a credential candidate enrolled in a credential preparation program receive reasonable time to complete the program without meeting new requirements, including, but not limited to, requirements added by statutes, regulations, or commission standards, after the candidate's enrollment in the program. Further, to ensure that all candidates for a credential receive reasonable information and advice as they proceed through their program, the Legislature finds and declares that it is incumbent upon credential preparation programs to inform candidates of new requirements and extension provisions available to eligible candidates.

(b) For the purposes of this section, the following terms shall have the following meanings:

(1) "Enrolled" refers to an individual who, on or after January 1, 2002, continuously participates in and is working toward completing the requirements for a program that meets the minimum requirements for a California preliminary multiple or single subject teaching credential as specified in Section 44259. Whether an individual is enrolled shall be subject to verification by the Commission on Teacher Credentialing.

(2) "Continuously enrolled" refers to an individual who has begun a teacher preparation program and does not have a break in that participation that exceeds a period of 18 months.

(c) The commission shall adopt regulations to provide a credential candidate enrolled in a commission-accredited preparation program, including, but not limited to, an internship program as defined in Article 7.5 (commencing with Section 44325) and Article 3 (commencing with Section 44450), a professional preparation program as defined in Article 7 (commencing with Section 44320), or an integrated program of professional preparation as defined in Section 44259.1 with a grace period to complete the program without meeting new requirements, including, but not limited to, requirements added by statutes, regulations, or commission standards, after the candidate's enrollment in the program. The commission shall also ensure through standards and accreditation procedures that credential preparation programs provide credential candidates with information about new requirements and extension

1 provisions as outlined in this subdivision and subdivisions (d)  
2 and (e).

3 (1) The commission shall adopt regulations that provide a  
4 credential candidate enrolled in a commission-accredited  
5 preparation program time of not less than 24 months after  
6 enrollment in the program, during which time new or amended  
7 statutes, regulations, and commission standards that become  
8 effective and are imposed on credential candidates after the  
9 candidate's enrollment date shall not apply to that candidate.

10 (2) The commission shall allow a credential candidate an  
11 extension of time in addition to the time specified pursuant to  
12 paragraph (1) to complete a credential program under the  
13 statutes, regulations, and commission standards in place at the  
14 time of the candidate's enrollment if the candidate can  
15 demonstrate extenuating circumstances, including, but not  
16 limited to, personal or family illness, bereavement, or financial  
17 hardship and develops a plan, in consultation with the credential  
18 preparation program, for continued progress toward completion  
19 of the preparation program.

20 (d) The commission shall maintain a list of candidates who are  
21 allowed an extended time period to complete the program under  
22 the statutes, regulations, and commission standards in place at the  
23 time of the candidates' enrollment prior to the effective date of a  
24 new or amended statute, regulation, or standard. This list shall  
25 include the projected date of program completion for each  
26 candidate.

27 (e) (1) A credential candidate enrolled in an integrated  
28 program of professional preparation pursuant to subdivision (a)  
29 of Section 44259.1 is not subject to any new requirements added  
30 by statute, regulation, or commission standards if that candidate  
31 is continuously enrolled in the program, as defined in paragraph  
32 (2) of subdivision (b), and does not change the type of credential  
33 or program he or she is pursuing once enrolled.

34 (2) A credential candidate continuously enrolled in an  
35 integrated program of professional preparation pursuant to  
36 subdivision (a) of Section 44259.1 who has completed all  
37 requirements necessary to begin the student teaching component  
38 of his or her program shall be eligible to receive an extension of  
39 12 months, if necessary, to complete the outstanding  
40 requirements that were in place when that credential candidate



1 began the preparation program, and shall not be subject to any  
2 new requirements added by statute, regulation, or commission  
3 standards, once that candidate begins the student teaching portion  
4 of his or her program.

5 (3) This subdivision does not limit the ability of a candidate to  
6 seek additional time to complete a credential pursuant to  
7 paragraph (2) of subdivision (c).

8 (4) By June 30, 2004, the commission shall report to the  
9 education policy committees in each house of the Legislature on  
10 the success of the integrated program of professional  
11 development pursuant to Section 44259.1 toward preparing  
12 teacher candidates, including, but not limited to, the number of  
13 students admitted to the teacher education component in each  
14 program, the number of students who have completed all course  
15 requirements, including student teaching, and who have applied  
16 for a credential, the number of students applying for and  
17 receiving an extension pursuant to subdivision (e), and the  
18 information collected pursuant to subdivision (d).

19 (f) This section does not supersede subdivision (h) of Section  
20 44259.

21 (g) A modification of a credentialing examination by the  
22 commission that is made as the result of a validity study or a  
23 passing standard study shall not be considered a new requirement  
24 for purposes of this section.

25 (h) If credential preparation coursework that a credential  
26 candidate has not yet taken is modified, the candidate shall take  
27 the modified coursework instead of the previously required  
28 coursework unless the modified coursework is not readily  
29 available, the modified coursework would result in an increased  
30 cost to the candidate, or completion of the modified coursework  
31 would delay the candidate's completion of the credential  
32 preparation program.

33 (i) Once a candidate has received a preliminary California  
34 teaching credential pursuant to Section 44259 and is employed as  
35 the teacher of record in a California public school, the candidate  
36 shall not be subject to any new requirements for completing the  
37 induction phase required to obtain the professional clear teaching  
38 credential pursuant to Section 44279.4, for a period not to exceed  
39 the length of time provided for the preliminary teaching  
40 credential pursuant to Section 44251.

1 SEC. 7. Section 48213 of the Education Code is repealed.

2 SEC. 8. Section 48213 is added to the Education Code, to  
3 read:

4 48213. If a pupil is excluded from attendance pursuant to  
5 Section 120230 of the Health and Safety Code or Section 49451  
6 of this code, or if a principal or his or her designee determines  
7 that the continued presence of the child would constitute a clear  
8 and present danger to the life, safety, or health of a pupil or  
9 school personnel, the governing board is not required to send  
10 prior notice of the exclusion to the parent or guardian of the pupil  
11 as required in this section. The governing board shall send a  
12 notice of the exclusion as soon as is reasonably possible after the  
13 exclusion.

14 SEC. 9. Section 48980 of the Education Code is amended to  
15 read:

16 48980. (a) At the beginning of the first semester or quarter of  
17 the regular school term, the governing board of each school  
18 district shall notify the parent or guardian of a minor pupil  
19 regarding the right or responsibility of the parent or guardian  
20 under Sections 35291, 46014, 48205, 48207, 48208, 49403,  
21 49423, 49451, 49472, and 51938 and Chapter 2.3 (commencing  
22 with Section 32255) of Part 19.

23 (b) The notification also shall advise the parent or guardian of  
24 the availability of individualized instruction as prescribed by  
25 Section 48206.3, and of the program prescribed by Article 9  
26 (commencing with Section 49510) of Chapter 9.

27 (c) The notification shall also advise the parents and guardians  
28 of all pupils attending a school within the district of the schedule  
29 of minimum days and pupil-free staff development days, and if  
30 any minimum or pupil-free staff development days are scheduled  
31 thereafter, the governing board shall notify parents and guardians  
32 of the affected pupils as early as possible, but not later than one  
33 month before the scheduled minimum or pupil-free day.

34 (d) The notification also may advise the parent or guardian of  
35 the importance of investing for future college or university  
36 education for their children and of considering appropriate  
37 investment options including, but not limited to, United States  
38 Savings Bonds.

39 (e) Commencing with the 2000–01 school year, and each  
40 school year thereafter, the notification shall advise the parent or

guardian of the pupil that, commencing with the 2003–04 school year, and each school year thereafter, each pupil completing 12th grade will be required to successfully pass the high school exit examination administered pursuant to Chapter 8 (commencing with Section 60850) of Part 33. The notification shall include, at a minimum, the date of the examination, the requirements for passing the examination, and shall inform the parents and guardians regarding the consequences of not passing the examination and shall inform parents and guardians that passing the examination is a condition of graduation.

(f) Each school district that elects to provide a fingerprinting program pursuant to Article 10 (commencing with Section 32390) shall inform parents or guardians of the program as specified in Section 32390.

(g) The notification shall also include a copy of the district’s written policy on sexual harassment established pursuant to Section 212.6, as it relates to pupils.

(h) The notification shall advise the parent or guardian of all existing statutory attendance options and local attendance options available in the school district. That notification shall include all options for meeting residency requirements for school attendance, programmatic options offered within the local attendance areas, and any special programmatic options available on both an interdistrict and intradistrict basis. That notification shall also include a description of all options, a description of the procedure for application for alternative attendance areas or programs, an application form from the district for requesting a change of attendance, and a description of the appeals process available, if any, for a parent or guardian denied a change of attendance. The notification shall also include an explanation of the existing statutory attendance options including, but not limited to, those available under Section 35160.5, Chapter 5 (commencing with Section 46600) of Part 26, subdivision (f) of Section 48204, and Article 1.5 (commencing with Section 48209) of Chapter 2 of Part 27. The department shall produce this portion of the notification and shall distribute it to all school districts.

(i) It is the intent of the Legislature that the governing board of each school district annually review the enrollment options available to the pupils within their districts and that the school

1 districts strive to make available enrollment options that meet the  
2 diverse needs, potential, and interests of California's pupils.

3 (j) The notification shall advise the parent or guardian that no  
4 pupil may have his or her grade reduced or lose academic credit  
5 for any absence or absences excused pursuant to Section 48205 if  
6 missed assignments and tests that can reasonably be provided are  
7 satisfactorily completed within a reasonable period of time, and  
8 shall include the full text of Section 48205.

9 (k) The notification shall advise the parent or guardian of the  
10 availability of state funds to cover the costs of advanced  
11 placement examination fees pursuant to Section 52244.

12 SEC. 10. Section 49423 of the Education Code is amended to  
13 read:

14 49423. (a) Notwithstanding Section 49422, any pupil who is  
15 required to take, during the regular schoolday, medication  
16 prescribed for him or her by a physician or surgeon, may be  
17 assisted by the school nurse or other designated school personnel  
18 or may carry and self-administer prescription auto-injectable  
19 epinephrine if the school district receives the appropriate written  
20 statements identified in subdivision (b).

21 (b) (1) In order for a pupil to be assisted by a school nurse or  
22 other designated school personnel pursuant to subdivision (a), the  
23 school district shall obtain both a written statement from the  
24 physician detailing the name of the medication, method, amount,  
25 and time schedules by which the medication is to be taken and a  
26 written statement from the parent, foster parent, or guardian of  
27 the pupil indicating the desire that the school district assist the  
28 pupil in the matters set forth in the statement of the physician.

29 (2) In order for a pupil to carry and self-administer  
30 prescription auto-injectable epinephrine pursuant to subdivision  
31 (a), the school district shall obtain both a written statement from  
32 the physician or surgeon detailing the name of the medication,  
33 method, amount, and time schedules by which the medication is  
34 to be taken, and confirming that the pupil is able to  
35 self-administer auto-injectable epinephrine, and a written  
36 statement from the parent, foster parent, or guardian of the pupil  
37 consenting to the self-administration, providing a release for the  
38 school nurse or other designated school personnel to consult with  
39 the health care provider of the pupil regarding any questions that  
40 may arise with regard to the medication, and releasing the school

1 district and school personnel from civil liability if the  
2 self-administering pupil suffers an adverse reaction as a result of  
3 self-administering medication pursuant to this paragraph.

4 (3) The written statements specified in this subdivision shall  
5 be provided at least annually and more frequently if the  
6 medication, dosage, frequency of administration, or reason for  
7 administration changes.

8 (c) A pupil may be subject to disciplinary action pursuant to  
9 Section 48900 if that pupil uses auto-injectable epinephrine in a  
10 manner other than as prescribed.

11 SEC. 11. Section 49423.1 of the Education Code is amended  
12 to read:

13 49423.1. (a) Notwithstanding Section 49422, any pupil who  
14 is required to take, during the regular schoolday, medication  
15 prescribed for him or her by a physician and surgeon, may be  
16 assisted by the school nurse or other designated school personnel  
17 or may carry and self-administer inhaled asthma medication if  
18 the school district receives the appropriate written statements  
19 specified in subdivision (b).

20 (b) (1) In order for a pupil to be assisted by a school nurse or  
21 other designated school personnel pursuant to subdivision (a), the  
22 school district shall obtain both a written statement from the  
23 physician or surgeon detailing the name of the medication,  
24 method, amount, and time schedules by which the medication is  
25 to be taken and a written statement from the parent, foster parent,  
26 or guardian of the pupil requesting that the school district assist  
27 the pupil in the matters set forth in the statement of the physician  
28 or surgeon.

29 (2) In order for a pupil to carry and self-administer  
30 prescription inhaled asthma medication pursuant to subdivision  
31 (a), the school district shall obtain both a written statement from  
32 the physician or surgeon detailing the name of the medication,  
33 method, amount, and time schedules by which the medication is  
34 to be taken, and confirming that the pupil is able to  
35 self-administer inhaled asthma medication, and a written  
36 statement from the parent, foster parent, or guardian of the pupil  
37 consenting to the self-administration, providing a release for the  
38 school nurse or other designated school personnel to consult with  
39 the health care provider of the pupil regarding any questions that  
40 may arise with regard to the medication, and releasing the school

1 district and school personnel from civil liability if the  
2 self-administering pupil suffers an adverse reaction by taking  
3 medication pursuant to this section.

4 (3) The written statements specified in this subdivision shall  
5 be provided at least annually and more frequently if the  
6 medication, dosage, frequency of administration, or reason for  
7 administration changes.

8 (c) A pupil may be subject to disciplinary action pursuant to  
9 Section 48900 if that pupil uses inhaled asthma medication in a  
10 manner other than as prescribed.

11 SEC. 12. Section 52520 of the Education Code is amended to  
12 read:

13 52520. (a) Every vocational or occupational training program  
14 for adults offered by any high school district or unified school  
15 district shall be reviewed every two years by the governing board  
16 to assure that each such program does all of the following:

17 (1) Meets a documented labor market demand.

18 (2) Does not represent unnecessary duplication of other  
19 manpower training programs in the area.

20 (3) Is of demonstrated effectiveness as measured by the  
21 employment and completion success of its students.

22 (b) Any program that does not meet the requirements of  
23 subdivision (a) and the standards promulgated by the governing  
24 board shall be terminated within one year.

25 (c) The review process required by this section shall include  
26 the review and comments by the local workforce Investment  
27 board established pursuant to the Workforce Investment act of  
28 1998 (29 U.S.C. Sec. 2801 et seq.), and pursuant to (Division 8  
29 (commencing with Section 15000) of the Unemployment  
30 Insurance Code), which review and comments shall occur prior  
31 to any decision by the appropriate governing body.

32 SEC. 13. Section 52570 of the Education Code is amended to  
33 read:

34 52570. The governing board of any school district  
35 maintaining secondary schools or the county superintendent of  
36 schools, shall have the power, with the approval of the  
37 Department of Education, to establish special classes for adults  
38 designed to serve the educational needs of adults with  
39 disabilities. These classes shall be directed to providing  
40 instruction in civic, vocational, literary, homemaking, technical,

1 and general education and shall conform to standards of  
2 attendance, curriculum, and administration established by the  
3 department. Attendance of adults with disabilities in such classes  
4 established by the county superintendent of schools shall be  
5 included for purposes of apportionments to the county school  
6 service fund.

7 SEC. 14. Section 52571 of the Education Code is amended to  
8 read:

9 52571. Special classes for adults with disabilities may be  
10 conducted under the direction of the governing board of the  
11 school district in workshop and training facilities provided by  
12 nonprofit organizations, or in public school facilities. These  
13 facilities may include those where part-time paid work education  
14 and training is conducted and where less than the state minimum  
15 wage is paid.

16 SEC. 15. Section 52572 of the Education Code is amended to  
17 read:

18 52572. The governing board of any school district or the  
19 county superintendent of schools authorized by this article to  
20 establish special classes for adults designed to serve the  
21 educational needs of adults with disabilities may contract for the  
22 providing of such classes by any adjacent high school district or  
23 unified school district, subject to the approval of the  
24 Superintendent. For purposes of apportionments, the average  
25 daily attendance in classes conducted pursuant to the contract  
26 shall accrue to and be reported by the district in which the  
27 student resides. Any contract entered into pursuant to this section  
28 shall be for a term of not to exceed one year but may be renewed  
29 or revised and renewed annually.

30 SEC. 16. Chapter 1.2 (commencing with Section 628) of Title  
31 15 of Part 1 of the Penal Code is repealed.

32 *SEC. 17. This act is an urgency statute necessary for the*  
33 *immediate preservation of the public peace, health, or safety*  
34 *within the meaning of Article IV of the Constitution and shall go*  
35 *into immediate effect. The facts constituting the necessity are:*

36 *In order to ensure that the educational programs affected by*  
37 *this act are properly implemented pursuant to the clarifying,*

- 1 *technical, and other changes made by this act, it is necessary for*
- 2 *this act to take effect immediately.*

O